

**REMARKS**

Claims 1, 2, 4-10 and 12-19 are pending in this application. By this Amendment, claims 1, 5, 9 and 14 are amended, and claims 3 and 11 are canceled without prejudice to or disclaimer of the subject matter contained within. Support for the amendments to the claims can be found at least in the previously presented claims 3 and 11. Thus, no new matter is added.

**I. Rejections Under 35 U.S.C. §102(b)/§103(a)**

The Office Action rejects claims 1-17 and 19 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,329,390 (Fujiwara); and rejects claim 18 under 35 U.S.C. §103(a) as being unpatentable over Fujiwara in view of U.S. Patent No. 4,223,308 (Baraff). These rejections are respectfully traversed.

Fujiwara fails to disclose a "functional layer transmits the exposure light," as recited by independent claim 1 and similarly recited by independent claims 5, 9 and 14.

The Office Action alleges that Fujiwara discloses the above feature in Fig. 1 because Fig. 1 shows an image L1 projected onto a substrate 11A. Thus, the Office Action alleges that the light absorbing layer 14 corresponds to the functional layer of independent claim 1. However, Fujiwara discloses that light makes contact with a transparent electrode film 12 and further discloses that after the light contacts the transparent electrode film 12, the light passes through a photoconductive layer 13 and then falls incident on a light absorbing layer 14.

However, independent claim 1 recites that the functional layer transmits the exposure light. Fujiwara is silent as to whether the light absorbing layer 14 transmits exposure light. Therefore, the light absorbing layer 14 of Fujiwara cannot correspond to the functional layer because the light absorbing layer 14 merely absorbs light and is not disclosed as transmitting any exposure light, as recited by independent claim 1. Baraff fails to at least cure the above deficiency of Fujiwara.

Fujiwara also fails to disclose "the functional layer transmits the exposure light from an incidence side of the exposure light to the image record layer on an opposite side to the incidence side at least when the exposure light is applied; and the functional layer shields visible light when the image recorded on the image record layer is observed," as recited by independent claim 1 and similarly recited by independent claims 5, 9 and 14.

The Office Action alleges that Fujiwara discloses the above-quoted feature at col. 3, lines 46-61. However, Fujiwara merely discloses that the coating material used for the alleged functional layer has a transmittance of about 0.3% with respect to the visible light range. Fujiwara is silent regarding the feature of shielding visible light when the image recorded on the image record layer is observed, as recited in the independent claims. Baraff fails to at least cure the above deficiency of Fujiwara.

Therefore, independent claims 1, 5, 9 and 14 are patentable over the applied references. Claims 2, 4, 6-8, 10, 12, 13 and 15-19 are patentable at least for their dependencies from the independent claims as well as for the additional features they recite. The rejections to claims 3 and 11 are rendered moot due to their cancellation.

Accordingly, Applicants respectfully request withdrawal of the rejection.

## **II. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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